

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harold Rodriguez	Team: Squad #11	CCRB Case #: 201805295	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 07/01/2018 1:10 AM	Location of Incident: Corner of McGraw Avenue and Unionport Road; 45th Precinct Stationhouse	Precinct: 45	18 Mo. SOL 1/1/2020	EO SOL 1/1/2020	
Date/Time CV Reported Tue, 07/03/2018 10:05 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 07/03/2018 10:05 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Kiel Sui	07315	952274	043 PCT
2. POM Satinderpa Singh	31966	955500	043 PCT
3. An officer			Unknown
4. Officers			Unknown

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Abuse: At McGraw Avenue and Unionport Road, in the Bronx, an officer interfered with § 87(2)(b)'s use of a recording device.	
B. Officers	Force: At McGraw Avenue and Unionport Road, in the Bronx, officers used physical force against § 87(2)(b)	
C. Officers	Abuse: At the 45th Precinct Stationhouse, officers did not secure medical treatment for § 87(2)(b)	
D. POM Kiel Sui	Abuse: At McGraw Avenue and Unionport Road, in the Bronx, Police Officer Kiel Sui refused to provide his name to § 87(2)(b)	
E. POM Satinderpa Singh	Discourtesy: At McGraw Avenue and Unionport Road, in the Bronx, Police Officer Satinderpal Singh spoke discourteously to an individual.	

Case Summary

§ 87(2)(b) filed the following complaint with the CCRB on July 3, 2018 via telephone. On July 1, 2018, at approximately 1:45 a.m., § 87(2)(b) was attending a barbeque at a park located in the vicinity of McGraw Avenue and Unionport Road, in the Bronx. While in the park, several fights broke out. Police responded to the scene and § 87(2)(b) began to record the apprehension of an unidentified individual. An unidentified male officer approached § 87(2)(b) and knocked his phone out of his hand (**Allegation A – Abuse of Authority:** § 87(2)(g) § 87(2)(b)). A group of unidentified officers then came over and physically assaulted § 87(2)(b) (**Allegation B – Force:** § 87(2)(g) § 87(2)(b)). § 87(2)(b) was arrested and taken to the 45th Precinct. Once at the stationhouse, § 87(2)(b) complained to officers of pain in the ribs and the officers did not secure medical treatment for him (**Allegation C – Abuse of Authority:** § 87(2)(g) § 87(2)(b)).

Body worn camera footage was retrieved for a separate incident that occurred in the same vicinity. The incident depicts Police Officer Kiel Sui and Police Officer Satinderpal Singh of the 43rd Precinct arresting § 87(2)(b) identified by the investigation as § 87(2)(b). PO Sui placed § 87(2)(b) into a marked police vehicle and § 87(2)(b) asked for PO Sui's name multiple times. PO Sui did not respond at first and then stated he would provide the information at the precinct (**Allegation D – Abuse of Authority:** § 87(2)(g) § 87(2)(b)). PO Singh then stated to an unidentified individual in the area, "You can record, that's fine. I don't give a fuck." (**Allegation E – Discourtesy:** § 87(2)(g) § 87(2)(b)).

Since the second portion of this complaint was captured on body worn camera, the CCRB proceeded with a full investigation.

On September 14, 2018, this case was reassigned to the undersigned investigator following former Investigator Scott Carlton's resignation from the agency.

Findings and Recommendations

Allegation A – Abuse of Authority: At McGraw Avenue and Unionport Road, in the Bronx, an officer interfered with § 87(2)(b)'s use of a recording device.

Allegation B – Force: At McGraw Avenue and Unionport Road, in the Bronx, officers used physical force against § 87(2)(b).

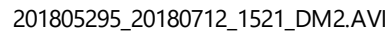
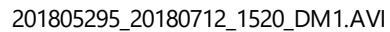
Allegation C – Abuse of Authority: At the 45th Precinct Stationhouse, officers did not secure medical treatment for § 87(2)(b).

§ 87(2)(b) missed three scheduled interview appointments without prior cancelling or rescheduling. § 87(2)(g)

Allegation D – Abuse of Authority: At McGraw Avenue and Unionport Road, in the Bronx, Police Officer Kiel Sui refused to provide his name to § 87(2)(b).

Body worn camera footage did not capture the alleged police interaction with § 87(2)(b). Instead, footage obtained from PO Sui's body worn camera captured the latter's interaction with § 87(2)(b) identified by the investigation as § 87(2)(b).

The CCRB was unable to locate § 87(2)(b) during the course of the investigation. The investigation proceeded based on body worn camera footage obtained from PO Sui.



During his CCRB interview on October 24, 2018 (Board Review 01), PO Sui stated that he responded to a radio run for a large disorderly group. Upon arrival with PO Singh, he witnessed 100-200 people on the street and sidewalk. There were multiple unidentified uniformed officers on scene telling the crowd to leave the location. § 87(2)(b) stood on an electrical box, yelling and agitating the crowd further by yelling, “F- you guys, we’re not going anywhere.” PO Sui and PO Singh arrested § 87(2)(b) and placed him into a marked vehicle that belonged to another command. § 87(2)(b) asked PO Sui for his name while he was in the vehicle and PO Sui replied that he would give him everything back at the precinct. PO Sui then stated that he was not sure if § 87(2)(b) directed the request specifically to him. PO Sui did not provide § 87(2)(b) with his name because there was still a crowd of people around and there was a lot of commotion near him. He stated that he did not see fit to provide the information to § 87(2)(b) at that moment since § 87(2)(b) was going to receive all the information at the stationhouse with a summons. PO Sui stated that he provided § 87(2)(b) with his name at the stationhouse.

NYPD Patrol Guide Procedure 203-09 states that an officer must, “courteously and clearly state [his] rank, name, shield number and command, or otherwise provide them, to anyone who requests [them] to do so.” (Board Review 03)

Age Group	Percentage of Respondents
18-29	90%
30-49	85%
50-64	80%
65+	70%

Allegation E – Discourtesy: At McGraw Avenue and Unionport Road, in the Bronx, Police Officer Satinderpal Singh spoke discourteously to § 87(2)(b)



201805295_20190114_1253_DM.mp4

Upon review of PO Sui's body worn camera footage, the undersigned investigator observed an interaction between PO Singh and an unidentified individual. Since the individual was not shown on camera, the investigation could not identify them to obtain a statement.

In the above attached subclip of PO Sui's body camera footage, while PO Sui is speaking to § 87(2)(b) a voice can be heard off camera saying, "You can record, that's fine. I don't give a fuck." PO Singh then walks into the frame and asks, "Oh, you're live?" to PO Sui.

When asked during his CCRB interview, PO Singh admitted to making the aforementioned statement. PO Sui's body camera footage was played and he acknowledged that the voice heard cursing is his own. When asked why he cursed, he replied that he did not recall who he was talking to at the time.

NYPD Patrol Guide Procedure 203-09 states that officers must be courteous and respectful in their interactions with the public (Board Review 03).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 04).
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 05).
- Police Officer Sui has been a member of service for seven years and has been a subject in four CCRB complaints and nine allegations, none of which were substantiated. § 87(2)(g)
- Police Officer Singh has been a member of service for five years and has been a subject in one CCRB complaint and five allegations, none of which were substantiated. ■

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- A Notice of Claim request was submitted to the Office of the New York City Comptroller on December 21, 2018. A response has not been received as of the writing of this report.
- According to the Office of Court Administration (OCA), between August 9, 2018 and January 11, 2019, § 87(2)(b) was convicted of disorderly (Board Review 06).

- According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City. Both of § 87(2)(b)'s criminal court summonses were dismissed.
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Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date